

Presented to the Court by the foreman of the  
Grand Jury in open Court, in the presence of  
the Grand Jury and FILED in the U.S.  
DISTRICT COURT at Seattle, Washington.

March 7 2019  
WILLIAM M. McCOOL, Clerk  
By [Signature] Deputy

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,  
Plaintiff,

v.

CASE NO. CR18-5579RBL

**SECOND SUPERSEDING  
INDICTMENT**

- (1) CARLOS EDUARDO LOPEZ  
HERNANDEZ,
- (2) DANIEL OSVALDO ROCHA LOPEZ,
- (3) JAIME HEREDIA CASTRO,
- (4) JUAN AVILES BERRELLEZA,
- (5) EDGAR CABRERA,
- (6) OTHON ALONSO VEA  
CERVANTES,  
Formerly charged under the name  
"Carlos Alejandro Castro Perez,"
- (7) CESAR LOYA SOTO,
- (8) MANUEL LOYA SOTO,
- (9) JULIAN GAUGE ORDONEZ,
- (10) JOSE LUIS SIERRA BARRIENTOS,
- (11) HECTOR MANUEL URIAS  
MORENO,
- (12) JORGE VALENZUELA ARMENTA,
- (13) URIEL ZELAYA,
- (14) ARTURO FRIAS CEBALLOS,
- (15) JUAN JOSE HIGUERA GONZALEZ,
- (16) JESUS RENE SARMIENTO  
VALENZUELA,
- (17) ALEK JAMES BAUMGARTNER,
- (18) MONIQUE GREEN,
- (19) ANDREW CAIN KRISTOVICH,

(21) JOSE RANGEL ORTEGA,  
(22) GERALD KEITH RIGGINS,  
(23) ESTHER LA RENA SCOTT,  
(24) MICHAEL JOHN SCOTT,  
(25) KAREN SURYAN,  
(26) ORLANDO BARAJAS,  
(27) OSCAR HUMBERTO CARRILLO  
SALCEDO,  
(28) MARTIN GONZALEZ JIMENEZ,  
(29) HECTOR MARIO JACOBO  
CHAIRES,  
(30) JESUS ALFONSO MORA  
QUINONEZ,  
(31) RAMON PUENTES, and  
(32) GREGORY DAVID WERBER,

Defendants.

The Grand Jury charges that:

**COUNT 1**

**(Conspiracy to Distribute Controlled Substances)**

Beginning at a time unknown and continuing until on or about December 6, 2018, in Pierce, Kitsap, King, Skagit, and Snohomish Counties, within the Western District of Washington, and elsewhere, CARLOS EDUARDO LOPEZ HERNANDEZ, DANIEL OSVALDO ROCHA LOPEZ, JAIME HEREDIA CASTRO, JUAN AVILES BERRELLEZA, EDGAR CABRERA, OTHON ALONSO VEA CERVANTES, CESAR LOYA SOTO, MANUEL LOYA SOTO, JULIAN GAUGE ORDONEZ, JOSE LUIS SIERRA BARRIENTOS, HECTOR MANUEL URIAS MORENO, JORGE VALENZUELA ARMENTA, URIEL ZELAYA, ARTURO FRIAS CEBALLOS, JUAN JOSE HIGUERA GONZALEZ, JESUS RENE SARMIENTO VALENZUELA, ALEK JAMES BAUMGARTNER, MONIQUE GREEN, ANDREW CAIN KRISTOVICH, JOSE RANGEL ORTEGA, GERALD KEITH RIGGINS, ESTHER LA RENA SCOTT, MICHAEL JOHN SCOTT, KAREN SURYAN, ORLANDO BARAJAS, OSCAR HUMBERTO CARRILLO SALCEDO, MARTIN GONZALEZ JIMENEZ, HECTOR

MARIO JACOBO CHAIREZ, JESUS ALFONSO MORA QUINONEZ, and RAMON PUENTES, and others known and unknown, did knowingly and intentionally conspire to distribute substances controlled under Title 21, United States Code, Section 812, Schedules I and II, to wit: heroin, Fentanyl, and methamphetamine, contrary to the provisions of Title 21, United States Code.

***Specific Quantity Allegations as to Heroin***

The Grand Jury further alleges that with respect to CARLOS EDUARDO LOPEZ HERNANDEZ, DANIEL OSVALDO ROCHA LOPEZ, JAIME HEREDIA CASTRO, JUAN AVILES BERRELLEZA, OTHON ALONSO VEA CERVANTES, CESAR LOYA SOTO, JOSE LUIS SIERRA BARRIENTOS, HECTOR MANUEL URIAS MORENO, ARTURO FRIAS CEBALLOS, JUAN JOSE HIGUERA GONZALEZ, JESUS RENE SARMIENTO VALENZUELA, GERALD KEITH RIGGINS, MARTIN GONZALEZ JIMENEZ, HECTOR MARIO JACOBO CHAIREZ, and JESUS ALFONSO MORA QUINONEZ, their conduct as members of the conspiracy charged in Count 1, which includes the reasonably foreseeable conduct of other members of the conspiracy charged in Count 1, involved 1 kilogram or more of a mixture or substance containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(A).

The Grand Jury further alleges that with respect to MONIQUE GREEN, KAREN SURYAN, and URIEL ZELAYA, their conduct as members of the conspiracy charged in Count 1, which includes the reasonably foreseeable conduct of other members of the conspiracy charged in Count 1, involved 100 grams or more of a mixture or substance containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(B).

***Specific Quantity Allegations as to Fentanyl***

The Grand Jury further alleges that this with respect to CARLOS EDUARDO LOPEZ HERNANDEZ, DANIEL OSVALDO ROCHA LOPEZ, JAIME HEREDIA CASTRO, JUAN AVILES BERRELLEZA, OTHON ALONSO VEA CERVANTES,

1 CESAR LOYA SOTO, MANUEL LOYA SOTO, HECTOR MANUEL URIAS  
 2 MORENO, JORGE VALENZUELA ARMENTA, ARTURO FRIAS CEBALLOS,  
 3 JUAN JOSE HIGUERA GONZALEZ, JESUS RENE SARMIENTO VALENZUELA,  
 4 ANDREW CAIN KRISTOVICH, ESTHER LA RENA SCOTT, MICHAEL JOHN  
 5 SCOTT, MARTIN GONZALEZ JIMENEZ, JESUS ALFONSO MORA QUINONEZ,  
 6 and RAMON PUENTES, their conduct as members of the conspiracy charged in  
 7 Count 1, which includes the reasonably foreseeable conduct of other members of the  
 8 conspiracy charged in Count 1, involved 400 grams or more of a mixture or substance  
 9 containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]  
 10 propanamide (Fentanyl), and 100 grams or more of any analogue of N-phenyl-N-[1-(2-  
 11 phenylethyl)-4-piperidinyl] propanamide (Fentanyl), in violation of Title 21, United  
 12 States Code, Section 841(b)(1)(A).

13 The Grand Jury further alleges that with respect to ALEK JAMES  
 14 BAUMGARTNER and JOSE RANGEL ORTEGA, their conduct as members of the  
 15 conspiracy charged in Count 1, which includes the reasonably foreseeable conduct of  
 16 other members of the conspiracy charged in Count 1, involved 40 grams or more of a  
 17 mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-  
 18 4-piperidinyl] propanamide (Fentanyl), and 10 grams or more of any analogue of N-  
 19 phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (Fentanyl), in violation of Title  
 20 21, United States Code, Section 841(b)(1)(B.).

21 ***Specific Quantity Allegations as to Methamphetamine***

22 The Grand Jury further alleges that with respect to CARLOS EDUARDO LOPEZ  
 23 HERNANDEZ, DANIEL OSVALDO ROCHA LOPEZ, EDGAR CABRERA, OTHON  
 24 ALONSO VEA CERVANTES, JULIAN GAUGE ORDONEZ, URIEL ZELAYA, and  
 25 MARTIN GONZALEZ JIMENEZ, their conduct as members of the conspiracy charged  
 26 in Count 1, which includes the reasonably foreseeable conduct of the other members of  
 27 the conspiracy charged in Count 1, involved 50 grams or more of methamphetamine, its  
 28 salts, isomers, and salts of its isomers, and 500 grams or more of a mixture or substance

1 containing a detectable amount of methamphetamine, its salts, isomers, and salts of its  
2 isomers, in violation of Title 21, United States Code, Section 841(b)(1)(A).

3 The Grand Jury further alleges that with respect to ANDREW CAIN  
4 KRISTOVICH, his conduct as a member of the conspiracy charged in Count 1, which  
5 includes the reasonably foreseeable conduct of the other members of the conspiracy  
6 charged in Count 1, involved 5 grams or more of methamphetamine, its salts, isomers,  
7 and salts of its isomers, and 50 grams or more of a mixture or substance containing a  
8 detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, in  
9 violation of Title 21, United States Code, Section 841(b)(1)(B).

10 All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1), and  
11 846.

12 **COUNT 2**  
13 **(Conspiracy to Commit Money Laundering)**

14 Beginning at a time unknown, but within the last five years, and continuing  
15 through December 6, 2018, in Skagit County, within the Western District of Washington,  
16 and elsewhere, JAIME HEREDIA CASTRO, ORLANDO BARAJAS, and others known  
17 and unknown, unlawfully and knowingly combined, conspired, confederated and agreed  
18 together and with each other to commit certain money laundering offenses under Title 18,  
19 United States Code, Section 1956, as follows:

20 **1956(a)(1)(B)(i)**

21 Did conduct and attempt to conduct financial transactions, that is: transactions  
22 involving the movement of funds by wire and other means affecting interstate and foreign  
23 commerce, which in fact involved the proceeds of specified unlawful activity, that is,  
24 conspiracy to distribute controlled substances, in violation of Title 21, United States  
25 Code, Sections 841(a)(1) and 846, knowing that the transactions are designed in whole or  
26 in part to conceal and disguise the nature, the location, the source, the ownership, and the  
27 control of the proceeds of the specified unlawful activity, in violation of Title 18, United  
28 States Code, Section 1956(a)(1)(B)(i); and

**1956(a)(1)(B)(ii)**

Did conduct and attempt to conduct financial transactions, that is: transactions involving the movement of funds by wire and other means affecting interstate and foreign commerce, which in fact involved the proceeds of specified unlawful activity, that is, conspiracy to distribute controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 846, knowing that the transactions are designed in whole or in part to avoid a transaction reporting requirement under State and Federal Law, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(ii).

The Grand Jury further alleges this offense was committed during and in furtherance of the conspiracy charged in Count 1, above.

All in violation of Title 18, United States Code, Section 1956(h).

**COUNT 3****(Conspiracy to Commit Money Laundering)**

Beginning at a time unknown, but within the last five years, and continuing through December 6, 2018, in King County, within the Western District of Washington, and elsewhere, OSCAR HUMBERTO CARRILLO SALCEDO, CARLOS EDUARDO LOPEZ HERNANDEZ, DANIEL OSVALDO ROCHA LOPEZ, EDGAR CABRERA, GREGORY DAVID WERBER, and others known and unknown, unlawfully and knowingly combined, conspired, confederated and agreed together and with each other to commit certain money laundering offenses under Title 18, United States Code, Section 1956, as follows:

**1956(a)(1)(B)(i)**

Did conduct and attempt to conduct financial transactions, that is: transactions involving the movement of funds by wire and other means affecting interstate and foreign commerce, which in fact involved the proceeds of specified unlawful activity, that is, conspiracy to distribute controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 846, knowing that the transactions are designed in whole or in part to conceal and disguise the nature, the location, the source, the ownership, and the



1 control of the proceeds of the specified unlawful activity, in violation of Title 18, United  
2 States Code, Section 1956(a)(1)(B)(i); and

3 **1956(a)(1)(B)(ii)**

4 Did conduct and attempt to conduct financial transactions, that is: transactions  
5 involving the movement of funds by wire and other means affecting interstate and foreign  
6 commerce, which in fact involved the proceeds of specified unlawful activity, that is,  
7 conspiracy to distribute controlled substances, in violation of Title 21, United States  
8 Code, Sections 841(a)(1) and 846, knowing that the transactions are designed in whole or  
9 in part to avoid a transaction reporting requirement under State and Federal Law, in  
10 violation of Title 18, United States Code, Section 1956(a)(1)(B)(ii).

11 The Grand Jury further alleges this offense was committed during and in  
12 furtherance of the conspiracy charged in Count 1, above.

13 All in violation of Title 18, United States Code, Section 1956(h).

14 **COUNT 4**  
15 **(Money Laundering)**

16 On or about November 29, 2018, in King County, in the Western District of  
17 Washington, the Central District of California, and elsewhere, GREGORY DAVID  
18 WERBER, did knowingly conduct and attempt to conduct a financial transaction  
19 affecting interstate and foreign commerce, which transaction involved property  
20 represented by a law enforcement officer to be the proceeds of specified unlawful  
21 activity, specifically, distribution of controlled substances, in violation of Title 21, United  
22 States Code, Section 841, with the intent to conceal and disguise the nature, location,  
23 source, ownership and control, of property believed to be proceeds of specified unlawful  
24 activity and to avoid a transaction reporting requirement under State or Federal law.

25 All in violation of Title 18, United States Code, Sections 1956(a)(3)(B),  
26 1956(a)(3)(C) and 2.

**COUNT 5**  
**(Money Laundering)**

On or about December 5, 2018, in King County, in the Western District of Washington, and elsewhere, GREGORY DAVID WERBER and OSCAR HUMBERTO CARRILLO SALCEDO, did knowingly conduct and attempt to conduct a financial transaction affecting interstate and foreign commerce, which transaction involved property represented by a law enforcement officer to be the proceeds of specified unlawful activity, specifically, distribution of controlled substances, in violation of Title 21, United States Code, Section 841, with the intent to conceal and disguise the nature, location, source, ownership and control, of property believed to be proceeds of specified unlawful activity and to avoid a transaction reporting requirement under State or Federal law.

All in violation of Title 18, United States Code, Sections 1956(a)(3)(B), 1956(a)(3)(C) and 2.

**COUNT 6**  
**(Possession With Intent to Distribute Controlled Substances)**  
**(31900 104<sup>th</sup> Avenue SE, Unit I-101, Auburn, Washington)**

On or about August 31, 2018, at Auburn, within the Western District of Washington, CARLOS EDUARDO LOPEZ HERNANDEZ and DANIEL OSVALDO ROCHA LOPEZ did knowingly possess, with the intent to distribute, and aid and abet the possession of with the intent to distribute, substances controlled under Title 21, United States Code, Section 812, Schedules I and II, including heroin, N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (Fentanyl), and methamphetamine.

The Grand Jury further alleges that this offense involved 100 grams or more of a mixture or substance containing a detectable amount of heroin, and 40 grams or more of a mixture or substance containing a detectable amount of Fentanyl.

The Grand Jury further alleges that this offense was committed during and in furtherance of the offense charged in Count 1 (Conspiracy).



1 All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B),  
2 and Title 18, United States Code, Section 2.

3 **COUNT 7**

4 **(Possession With Intent to Distribute Controlled Substances)**  
5 **(22025 100<sup>th</sup> Avenue SE, Kent, Washington)**

6 On or about December 6, 2018, at Kent, within the Western District of  
7 Washington, CARLOS EDUARDO LOPEZ HERNANDEZ did knowingly possess, with  
8 the intent to distribute, and aid and abet the possession of with the intent to distribute,  
9 substances controlled under Title 21, United States Code, Section 812, Schedules I and II,  
10 including heroin.

11 The Grand Jury further alleges that this offense was committed during and in  
12 furtherance of the offense charged in Count 1 (Conspiracy).

13 All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C),  
14 and Title 18, United States Code, Section 2.

15 **COUNT 8**

16 **(Possession With Intent to Distribute Controlled Substances)**  
17 **(12212 SE 310<sup>th</sup> Street, Unit AA303, Auburn, Washington)**

18 On or about December 6, 2018, at Auburn, within the Western District of  
19 Washington, CARLOS EDUARDO LOPEZ HERNANDEZ did knowingly possess, with  
20 the intent to distribute, and aid and abet the possession of with the intent to distribute,  
21 substances controlled under Title 21, United States Code, Section 812, Schedules I and II,  
22 including heroin and N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide  
(Fentanyl).

23 The Grand Jury further alleges that this offense involved one kilogram or more of  
24 a mixture or substance containing a detectable amount of heroin.

25 The Grand Jury further alleges that this offense was committed during and in  
26 furtherance of the offense charged in Count 1 (Conspiracy).

27 All in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(A), and  
28 (b)(1)(C), and Title 18, United States Code, Section 2.

**COUNT 9**

**(Possession With Intent to Distribute Controlled Substances)  
(Vehicle Located at 11247 SE 258<sup>th</sup> Place, Kent, Washington)**

On or about December 6, 2018, at Kent, within the Western District of Washington, JUAN AVILES BERRELLEZA did knowingly possess, with the intent to distribute, and aid and abet the possession of with the intent to distribute, substances controlled under Title 21, United States Code, Section 812, Schedules I and II, including heroin.

The Grand Jury further alleges that this offense was committed during and in furtherance of the offense charged in Count 1 (Conspiracy).

All in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C), and Title 18, United States Code, Section 2.

**COUNT 10**

**(Possession With Intent to Distribute Controlled Substances)  
(Trailer Located at 350 S. Burlington Boulevard, Burlington, Washington)**

On or about December 6, 2018, at Burlington, within the Western District of Washington, JOSE LUIS SIERRA BARRIENTOS did knowingly possess, with the intent to distribute, and aid and abet the possession of with the intent to distribute, substances controlled under Title 21, United States Code, Section 812, Schedules I and II, including heroin.

The Grand Jury further alleges that this offense involved 100 grams or more of a mixture or substance containing a detectable amount of heroin.

The Grand Jury further alleges that this offense was committed during and in furtherance of the offense charged in Count 1 (Conspiracy).

All in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B), and Title 18, United States Code, Section 2.

**COUNT 11**

**(Possession With Intent to Distribute Controlled Substances)  
(428 105<sup>th</sup> Street SW, Everett, Washington)**

On or about December 6, 2018, at Everett, within the Western District of Washington, HECTOR MANUEL URIAS MORENO did knowingly possess, with the intent to distribute, and aid and abet the possession of with the intent to distribute, substances controlled under Title 21, United States Code, Section 812, Schedules I and II, including N-phenyl-N-[1-(2-phenylethyl)-4-piperidiny] propanamide (Fentanyl).

The Grand Jury further alleges that this offense involved 400 grams or more of a mixture or substance containing a detectable amount of Fentanyl.

The Grand Jury further alleges that this offense was committed during and in furtherance of the offense charged in Count 1 (Conspiracy).

All in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(A), and Title 18, United States Code, Section 2.

**COUNT 12**

**(Unlawful User of a Controlled Substance in Possession of Firearm)  
(28527 37<sup>th</sup> Place S, Auburn, Washington)**

On or about December 6, 2018, at Auburn, within the Western District of Washington, URIEL ZELAYA, then being an unlawful user of a controlled substance as defined in Title 21, United States Code, Section 802, did knowingly possess in and affecting interstate and foreign commerce firearms, that is:

- 1) One Glock GMBH Model 19, 9mm pistol, bearing serial number HRH678;
- 2) One Mossberg, Model 500A, 12 gauge shotgun, with obliterated serial number; and
- 3) One Stevens Arms, Model 311, Series H, 12 gauge shotgun, bearing serial number C904877,

which had been shipped and transported in interstate and foreign commerce.

All in violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(2).

**COUNT 13****(Possession With Intent to Distribute Controlled Substances)  
(10545 SE 238<sup>th</sup> Street, Apt. 8, Kent, Washington)**

On or about December 6, 2018, at Kent, within the Western District of Washington, JESUS RENE SARMIENTO VALENZUELA did knowingly possess, with the intent to distribute, and aid and abet the possession of with the intent to distribute, substances controlled under Title 21, United States Code, Section 812, Schedules I and II, including heroin and N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (Fentanyl).

The Grand Jury further alleges that this offense involved one kilogram or more of a mixture or substance containing a detectable amount of heroin and 40 grams or more of a mixture or substance containing a detectable amount of Fentanyl.

The Grand Jury further alleges that this offense was committed during and in furtherance of the offense charged in Count 1 (Conspiracy).

All in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A), and (b)(1)(B), and Title 18, United States Code, Section 2.

**COUNT 14****(Possession With Intent to Distribute Controlled Substances)  
(1020 SW 305<sup>th</sup> Street, Federal Way, Washington)**

On or about December 6, 2018, at Federal Way, within the Western District of Washington, MONIQUE GREEN did knowingly possess, with the intent to distribute, and aid and abet the possession of with the intent to distribute, substances controlled under Title 21, United States Code, Section 812, Schedules I and II, including heroin.

The Grand Jury further alleges that this offense involved 100 grams or more of a mixture or substance containing a detectable amount of heroin.

The Grand Jury further alleges that this offense was committed during and in furtherance of the offense charged in Count 1 (Conspiracy).

All in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B), and Title 18, United States Code, Section 2.

**COUNT 15****(Unlawful User of a Controlled Substance in Possession of Firearm)  
(2515 196<sup>th</sup> Street SW, Room 210, Lynnwood, Washington)**

On or about December 5, 2018, at Lynnwood, within the Western District of Washington, ANDREW CAIN KRISTOVICH, then being an unlawful user of a controlled substance as defined in Title 21, United States Code, Section 802, did knowingly possess in and affecting interstate and foreign commerce firearms, that is:

- 1) One FN Five-Seven 5.7x28mm caliber pistol, bearing serial number 386358000;
- 2) One Spike's Tactical ST15 .22 caliber rifle with Eotech sight, bearing serial number NSL138149;
- 3) One Smith & Wesson M&P-15 5.56 caliber rifle, bearing serial number TH98130;
- 4) One Ballistic Advantage DCP3 .223 caliber rifle, bearing serial number BA01843; and
- 5) One Palmetto State Armory PA-15 5.56 NATO caliber rifle, bearing serial number PI017940;

which had been shipped and transported in interstate and foreign commerce.

All in violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(2).

**COUNT 16****(Unlawful User of a Controlled Substance in Possession of Firearm)  
(222 SW Everett Mall Way, Unit 1073, Everett, Washington)**

On or about December 5, 2018, at Everett, within the Western District of Washington, ANDREW CAIN KRISTOVICH, then being an unlawful user of a controlled substance as defined in Title 21, United States Code, Section 802, did knowingly possess in and affecting interstate and foreign commerce firearms, that is:

- 1) One Springfield Armory Saint 5.56 caliber rifle, bearing serial number ST149614;
- 2) One Spikes Tactical ST15 5.56 caliber rifle, bearing serial number DV039846;

- 3) One Keltec RDB 5.56 caliber rifle, bearing serial number Z2R11;
  - 4) One CZ Scorpion EVO 3 9mm rifle, bearing serial number C688533;
  - 5) One Spikes Tactical ST15 5.56 caliber rifle, bearing serial number  
SCR058491;
  - 6) One AR-15 Multi Caliber rifle, bearing serial number 18946; and
  - 7) One Keltec KSG 12 gauge shotgun, bearing serial number XXAY54;
- which had been shipped and transported in interstate and foreign commerce.

All in violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(2).

**COUNT 17**

**(Possession With Intent to Distribute Controlled Substances)  
(5824 152<sup>nd</sup> Street E, Puyallup, Washington)**

On or about December 6, 2018, at Puyallup, within the Western District of Washington, GERALD KEITH RIGGINS did knowingly possess, with the intent to distribute, and aid and abet the possession of with the intent to distribute, substances controlled under Title 21, United States Code, Section 812, Schedules I and II, including heroin.

The Grand Jury further alleges that this offense involved 100 grams or more of a mixture or substance containing a detectable amount of heroin.

The Grand Jury further alleges that this offense was committed during and in furtherance of the offense charged in Count 1 (Conspiracy).

All in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B), and Title 18, United States Code, Section 2.

**COUNT 18**

**(Felon in Possession of Firearm)  
(5824 152<sup>nd</sup> Street E, Puyallup, Washington)**

On or about December 6, 2018, at Puyallup, within the Western District of Washington, GERALD KEITH RIGGINS, having been previously convicted of crimes punishable by imprisonment for a term exceeding one year, to wit:



- a. *Distribution of Heroin and Possession of Firearm by Prohibited Person*, on or about March 22, 2013, in United States District Court for the Western District of Washington, Case No. CR12-207MJP; and
  - b. *Violation of the Uniform Controlled Substances Act*, on or about March 1, 1999, in King County Superior Court, Case No. 99-1-00833-9;
- did knowingly possess in and affecting interstate and foreign commerce firearms, that is:
- 1) One Smith & Wesson M&P 40 .40 caliber pistol, bearing serial number DVX7047;
  - 2) One Norinco SKS 7.62 x 39mm caliber rifle, bearing serial number 8164364P; and
  - 3) One Bersa Thunder Ultra Compact Pro .45 caliber handgun, bearing serial number 563670;

which had been shipped and transported in interstate and foreign commerce.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

### **ASSET FORFEITURE ALLEGATIONS**

#### ***Drug Offenses***

The allegations in Counts 1, 6 through 11, 13 through 14, and 17 of this Second Superseding Indictment are hereby realleged and incorporated by reference herein for the purpose of alleging forfeiture to the United States pursuant to Title 21, United States Code, Section 853.

Pursuant to Title 21, United States Code, Section 853, upon conviction of the felony drug offenses charged in Counts 1, 6 through 11, 13 through 14, and 17 of this Second Superseding Indictment, defendants CARLOS EDUARDO LOPEZ HERNANDEZ, DANIEL OSVALDO ROCHA LOPEZ, JAIME HEREDIA CASTRO, JUAN AVILES BERRELLEZA, EDGAR CABRERA, OTHON ALONSO VEA CERVANTES, CESAR LOYA SOTO, MANUEL LOYA SOTO, JULIAN GAUGE ORDONEZ, JOSE LUIS SIERRA BARRIENTOS, HECTOR MANUEL URIAS MORENO, JORGE VALENZUELA ARMENTA, URIEL ZELAYA, ARTURO FRIAS

CEBALLOS, JUAN JOSE HIGUERA GONZALEZ, JESUS RENE SARMIENTO  
 VALENZUELA, MONIQUE GREEN, ANDREW CAIN KRISTOVICH, JOSE  
 RANGEL ORTEGA, GERALD KEITH RIGGINS, ESTHER LA RENA SCOTT,  
 MICHAEL JOHN SCOTT, KAREN SURYAN, ORLANDO BARAJAS, OSCAR  
 HUMBERTO CARRILLO SALCEDO, MARTIN GONZALEZ JIMENEZ, HECTOR  
 MARIO JACOBO CHAIREZ, JESUS ALFONSO MORA QUINONEZ, and RAMON  
 PUENTES shall forfeit to the United States of America any and all property, real or  
 personal, constituting or derived from, any proceeds the defendants obtained, directly or  
 indirectly, as the result of such offenses, and shall further forfeit any and all property, real  
 or personal, used, or intended to be used, in any manner or part, to commit, or to facilitate  
 the commission of, such offenses. The property to be forfeited includes, but is not  
 limited to, the following:

- a. One hundred sixty-four thousand, one hundred and sixteen dollars  
 (\$164,116.00), more or less, seized from 31900 104th Avenue Southeast,  
 Unit I-101, Auburn, Washington, on August 31, 2018;
- b. Four pairs of shoes, seized from 31900 104th Avenue Southeast, Unit I-  
 101, Auburn, Washington, on August 31, 2018;
- c. Seventy thousand, four hundred and fifty dollar (\$70,450.00), more or less,  
 seized from 12212 SE 310<sup>th</sup> Street, Unit AA303, Auburn, Washington, on  
 December 6, 2018;
- d. Two thousand, eight hundred and fifty-two dollars (\$2,852.00), more or  
 less, seized from 11247 SE 258<sup>th</sup> Place, Apartment D306, Kent,  
 Washington, on December 6, 2018;
- e. Seized from 28527 37<sup>th</sup> Place S, Auburn, Washington, on December 6,  
 2018:
  1. One Glock GMBH Model 19, 9mm pistol, bearing serial number  
 HRH678;

2. One Mossberg, Model 500A, 12 gauge shotgun, with obliterated serial number; and
3. One Stevens Arms, Model 311, Series H, 12 gauge shotgun, bearing serial number C904877; and
4. Miscellaneous ammunition;
- f. Ten thousand, two hundred and fourteen dollars (\$10,214.00), more or less, seized from 10545 SE 238<sup>th</sup> Street, Apartment 8, Kent, Washington, on December 6, 2018;
- g. Two thousand, two hundred and three dollars (\$2,203.00), more or less, seized from the person of ANDREW CAIN KRISTOVICH, on December 5, 2018;
- h. Seized from a green Ford Ranger bearing Washington license plate C41749L, located in Tulalip, Washington, on December 5, 2018:
  1. One Ruger Model EC9S, 9mm pistol, bearing serial number 455-33254;
  2. One Heckler and Koch Model VP9, 9mm pistol, bearing serial number 224-187814;
  3. One Ruger, Model SP101, .38 caliber revolver, bearing serial number 570-25328;
  4. One Storm Lake Machinery, unknown model/caliber, bearing serial number NM7791435;
  5. One Ruger Model SR45, .45 caliber pistol, bearing serial number 380-19717; and
  6. Miscellaneous ammunition and a magazine;
- i. Seized from 2515 196<sup>th</sup> Street SW, Room 210, Lynnwood, Washington, on December 5, 2018
  1. One FN Five-Seven 5.7x28mm caliber pistol, bearing serial number 386358000;

2. One Spike's Tactical ST15 .22 caliber rifle with Eotech sight, bearing serial number NSL138149;
  3. One Smith & Wesson M&P-15 5.56 caliber rifle, bearing serial number TH98130;
  4. One Ballistic Advantage DCP3 .223 caliber rifle, bearing serial number BA01843;
  5. One Palmetto State Armory PA-15 5.56 NATO caliber rifle, bearing serial number PI017940; and
  6. Miscellaneous ammunition, magazines, firearms parts and accessories, and body armor;
- j. Seized from Public Storage, Unit 1702, 222 SW Everett Mall Way, Everett, Washington, on December 5, 2018:
1. One Aero Precision X15 rifle, bearing serial number XO95034;
  2. One Springfield Armory Saint 5.56 caliber rifle, bearing serial number ST149614;
  3. One Aero Precision M5 .308 caliber rifle, bearing serial number US70096;
  4. One Spikes Tactical ST15 5.56 caliber rifle, bearing serial number DV039846;
  5. One Keltec RDB 5.56 caliber rifle, bearing serial number Z2R11;
  6. One CZ Scorpion EVO 3 9mm rifle, bearing serial number C688533;
  7. One Spikes Tactical ST15 5.56 caliber rifle, bearing serial number SCR058491;
  8. One Aero Precision X15 .223 caliber rifle, bearing serial number X096897;
  9. One Aero Precision M5 .308 caliber rifle, bearing serial number US71941;

10. One Aero Precision Freedom 5.56 caliber rifle, bearing serial number 3832;
  11. One Aero Precision AP-15 Rifle, bearing serial number PEW02147;
  12. One AR-15 Multi Caliber rifle, bearing serial number 18946;
  13. One Keltec KSG 12 gauge shotgun, bearing serial number XXAY54;
  14. One Aero Precision X15 .223 Caliber Rifle, bearing serial number X167500; and
  15. Miscellaneous ammunition, magazines, and firearms parts and accessories;
- k. Seized from 5824 152<sup>nd</sup> Street E, Puyallup, Washington, on December 6, 2018:
1. One Smith & Wesson M&P 40 .40 caliber pistol, bearing serial number DVX7047, with a loaded magazine;
  2. One Norinco SKS 7.62 x 39mm caliber rifle, bearing serial number 8164364P;
  3. One Bersa Thunder Ultra Compact Pro .45 caliber handgun, bearing serial number 563670; and
  4. Miscellaneous ammunition;
- l. Forty-four thousand, three hundred and sixty-two dollars (\$44,362.00), more or less, seized from 8024 150<sup>th</sup> Street SE, Snohomish, Washington, on December 6, 2018;
- m. One hundred and nineteen thousand, four hundred and ninety-eight dollars (\$119,498.00), more or less, seized from 628 East Fairhaven Avenue, Burlington, Washington, on December 6, 2018;
- n. Eighteen thousand, and two dollars (\$18,002.00), more or less, seized from 310 N. Anacortes Street, Burlington, Washington, on December 6, 2018;

- o. Nineteen thousand, four hundred dollars (\$19,400.00), more or less, seized from 229 Andover Parkway East, # 409, Tukwila, Washington, on or about December 5, 2018;
- p. Twenty-four thousand, two hundred and ninety dollars (\$24,290.00), more or less, seized from 3608 The Strand, Apartment 3, Manhattan Beach, California, on or about December 5, 2018; and
- q. Sums of money representing the proceeds that each defendant individually obtained as a result of the Conspiracy to Distribute Controlled Substances, as alleged in Count 1, above.

### ***Money Laundering Offenses***

The allegations in Counts 2-5 of this Second Superseding Indictment are hereby realleged and incorporated by reference herein for the purposes of alleging forfeiture to the United States pursuant to Title 18, United States Code, Section 982(a)(1).

Upon conviction of the felony offense in violation of Title 18, United States Code, Sections 1956, as charged in Counts 2-5 of this Second Superseding Indictment, defendants JAIME HEREDIA CASTRO, ORLANDO BARAJAS, OSCAR HUMBERTO CARRILLO SALCEDO, CARLOS EDUARDO LOPEZ HERNANDEZ, DANIEL OSVALDO ROCHA LOPEZ, EDGAR CABRERA, and GREGORY DAVID WERBER shall forfeit to the United States of America any property, real or personal, involved in such offenses, and any property traceable to such property, including but not limited to the following,

- a. Sums of money representing any property, real or personal, involved in the offenses charged in Counts 2-5 of this Second Superseding Indictment, and any property traceable to such property that each defendant individually obtained;
- b. One hundred and nineteen thousand, four hundred and ninety-eight dollars (\$119,498.00), more or less, seized from 628 East Fairhaven Avenue, Burlington, Washington, on December 6, 2018;



- c. Eighteen thousand, and two dollars (\$18,002.00), more or less, seized from 310 N. Anacortes Street, Burlington, Washington, on December 6, 2018;
- d. Nineteen thousand, four hundred dollars (\$19,400.00), more or less, seized from 229 Andover Parkway East, # 409, Tukwila, Washington, on or about December 5, 2018; and
- e. Twenty-four thousand, two hundred and ninety dollars (\$24,290.00), more or less, seized from 3608 The Strand, Apartment 3, Manhattan Beach, California, on or about December 5, 2018.

### ***Firearms Offenses***

The allegations in Counts 12, 15-16, and 18 of this Second Superseding Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

Upon conviction of the felony offenses alleged in Counts 12, 15-16, and 18 of this Second Superseding Indictment, defendants URIEL ZELAYA, ANDREW CAIN KRISTOVICH, and GERALD KEITH RIGGINS, shall forfeit to the United States any firearms or ammunition involved in or used in any knowing violation of Title 18, United States Code, Section 922(g), including, but not limited to, the following:

- a. Seized from 28527 37<sup>th</sup> Place S, Auburn, Washington, on December 6, 2018:
  - 1. One Glock GMBH Model 19, 9mm pistol, bearing serial number HRH678;
  - 2. One Mossberg, Model 500A, 12 gauge shotgun, with obliterated serial number; and
  - 3. One Stevens Arms, Model 311, Series H, 12 gauge shotgun, bearing serial number C904877; and
  - 4. Miscellaneous ammunition;

b. Seized from 2515 196<sup>th</sup> Street SW, Room 210, Lynnwood, Washington, on December 5, 2018

1. One FN Five-Seven 5.7x28mm caliber pistol, bearing serial number 386358000;
2. One Spike's Tactical ST15 .22 caliber rifle with Eotech sight, bearing serial number NSL138149;
3. One Smith & Wesson M&P-15 5.56 caliber rifle, bearing serial number TH98130;
4. One Ballistic Advantage DCP3 .223 caliber rifle, bearing serial number BA01843;
5. One Palmetto State Armory PA-15 5.56 NATO caliber rifle, bearing serial number PI017940; and
6. Miscellaneous ammunition, magazines, firearms parts and accessories, and body armor;

c. Seized from Public Storage, Unit 1702, 222 SW Everett Mall Way, Everett, Washington, on December 5, 2018:

1. One Springfield Armory Saint 5.56 caliber rifle, bearing serial number ST149614;
2. One Spikes Tactical ST15 5.56 caliber rifle, bearing serial number DV039846;
3. One Keltec RDB 5.56 caliber rifle, bearing serial number Z2R11;
4. One CZ Scorpion EVO 3 9mm rifle, bearing serial number C688533;
5. One Spikes Tactical ST15 5.56 caliber rifle, bearing serial number SCR058491;
6. One AR-15 Multi Caliber rifle, bearing serial number 18946;
7. One Keltec KSG 12 gauge shotgun, bearing serial number XXAY54; and

8. Miscellaneous ammunition, magazines, and firearms parts and accessories;

d. Seized from 5824 152nd Street E, Puyallup, Washington, on December 6, 2018:

1. One Smith & Wesson M&P 40 .40 caliber pistol, bearing serial number DVX7047, with a loaded magazine;
2. One Norinco SKS 7.62 x 39mm caliber rifle, bearing serial number 8164364P;
3. One Bersa Thunder Ultra Compact Pro .45 caliber handgun, bearing serial number 563670; and
4. Miscellaneous ammunition.

***Substitute Assets***

If any of the property described above, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

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1 it is the intent of the United States, pursuant to Title 21, United States Code, Section  
2 853(p), to seek the forfeiture of any other property of the defendants up to the value of  
3 the above-described forfeitable property.

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5 A TRUE BILL:

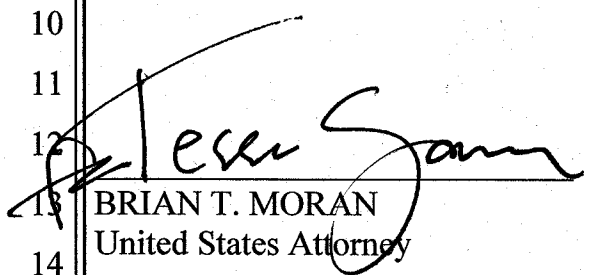
6 DATED: 3-7-2019

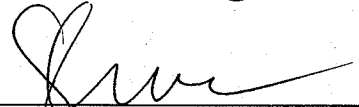
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8 *(Signature of Foreperson redacted*  
9 *pursuant to the policy of the Judicial*  
10 *Conference of the United States)*

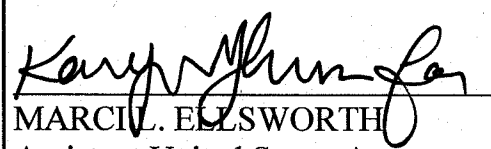
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FOREPERSON

  
BRIAN T. MORAN  
United States Attorney

  
SARAH Y. VOGEL  
Assistant United States Attorney

  
MARC L. ELLSWORTH  
Assistant United States Attorney

  
KARYN S. JOHNSON  
Assistant United States Attorney